

Subpoena comes after ATF fails to meet earlier deadline

WASHINGTON. D.C. – Rep. Darrell Issa (R-CA), the Chairman of the House Committee on Oversight and Government Reform today announced the issuance of a subpoena to the Department of Justice's Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) for documents related to the highly controversial "Project Gunrunner."

"The unwillingness of this Administration – most specifically the Bureau of Alcohol, Tobacco, and Firearms – to answer questions about this deadly serious matter is deeply troubling," said Chairman Issa. "Allegations surrounding this program are serious and the ability of the Justice Department to conduct an impartial investigation is in question. Congressional oversight is necessary to get the truth about what is really happening."

On March 16, 2011, Chairman Issa wrote a [letter to Acting Director Kenneth Melson](#) of the ATF requesting specific documents related to Project Gunrunner, its "Fast and Furious" component, and records related to the death of Border Agent Brian Terry. ATF failed to meet the March 30th deadline for producing these documents and furthermore refused to voluntarily commit to any date for producing them.

Media reports have raised questions about the handling of operations involving gun trafficking into Mexico – specifically the allegation that ATF has had a policy of permitting – and even encouraging – the movement of guns into Mexico by straw purchasers. This practice may have contributed to the deaths of hundreds on both sides of the border, including federal law enforcement agents. Sen. Charles Grassley (R-IA), who has also been pursuing the matter,

recently stated, "I'm still asking questions and we're still getting the runaround from the Justice Department, [t]hey're stonewalling."

President Obama recently stated that neither he nor Attorney General Holder authorized this operation. His statement did not specify whether Attorney General Holder was aware of this policy or who did authorize it. The Committee's investigation seeks answers to these questions and the true nature of Project Gunrunner.

Documents subpoenaed and due to the Committee on Oversight and Government Reform by April 13, 2011, include:

1. Documents and communications relating to the genesis of Project Gunrunner and Operation Fast and Furious, and any memoranda or reports involving any changes to either program at or near the time of the release of the Department of Justice (DOJ) Office of the Inspector General report about Project Gunrunner in November 2010.
2. Documents and communications relating to individuals responsible for authorizing the decision to "walk" guns to Mexico in order to follow them and capture a "bigger fish."
3. Documents and communications relating to any investigations conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) or any other DOJ component following the fatal shooting of Agent Brian Terry, including information pertaining to two guns found at the crime scene that may have been connected to Project Gunrunner.
4. Documents and communications relating to any weapons recovered at the crime scene or during the investigation into the death of Agent Brian Terry.
5. Documents and communications between ATF and the Federal Firearms Licensee (FFL) who sold weapons to Jaime Avila, including any Report of Investigation (ROI) or other records relating to a December 17, 2009 meeting "to discuss his role as an FFL during this investigation."
6. A copy of the presentation, approximately 200 pages long, that the Group 7 Supervisor made to officials at ATF headquarters in the spring of 2010.
7. Documents and communications relating to Operation Fast and Furious between and among ATF headquarters and Special Agent in Charge William D. Newell, Assistant Special Agents in Charge Jim Needles and George Gillette, Group Supervisor David Voth, or any Case Agent from November 1, 2009 to the present. The response to this component of the subpoena

shall include a memorandum, approximately 30 pages long, from SAC Newell to ATF headquarters following the arrest of Jaime Avila and the death of Agent Brian Terry.

8. Documents and communications relating to complaints or objections by ATF agents about: (1) encouraging, sanctioning, or otherwise allowing FFLs to sell firearms to known or suspected straw buyers, (2) failure to maintain surveillance on known or suspected straw buyers, (3) failure to maintain operational control over weapons purchased by known or suspected straw buyers, or (4) letting known or suspected straw buyers with American guns enter Mexico.

###